

**NORFOLK, VIRGINIA**  
**SPECIAL SESSION OF COUNCIL**  
**TUESDAY, JUNE 26, 2012**

President Fraim called the meeting to order at 5:20 p.m. with the following members present: Mr. Burfoot, Mr. Protogyrou, Mr. Riddick, Ms. Williams, Mr. Winn, and Dr. Whibley. Mr. Smigiel was absent.

He thereupon called for the first item of business.

**A. CLOSED SESSION**

Motion for closed session was approved for purpose which are set out in Clause 1 of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act, as amended:

(1) Discussion of candidates for appointment to the School Board.

Yes: Burfoot, Protogyrou, Riddick, Williams, Winn, Whibley and Fraim.

No: None.

Absent: Smigiel

**B. COUNCIL INTERESTS**

1. Councilman Riddick expressed concern with the RBI program's schedule and he suggested a board of directors should be appointed. He added that Norfolk schools need to have outside lighting similar to that of Western Branch, Hickory and Churchland.
2. With regard to Recreation, Parks and Open Space, Councilman Riddick suggested recreational activities should be separated from parks and forestry. Mayor Fraim asked the City Manager to schedule time for discussion. Vice Mayor Burfoot asked how we can help support team fundraising efforts as opposed to their collecting change from automobiles in our dangerous medians. Councilman Riddick added that we need to get the word out to our school coaches to schedule

practices in the early morning or late afternoon to prevent any incidences of dehydration or heat exhaustion.

3. Councilwoman Whibley asked: a) for a follow-up on downtown recycling efforts and b) for an update with regard to incentives for businesses that ban the use of plastic bags.
4. Councilwoman Whibley reiterated concerns about the truck traffic on Hampton Boulevard. She asked to keep in the forefront the City's position that we are against widening the HRBT and in favor of the Patriot's Crossing. She also asked for an update on these issues.
5. Vice Mayor Burfoot asked: a) to maintain the upkeep of all of our recreation centers, b) when is demolition scheduled for the property at Virginia Beach Boulevard and Merrimac Avenue, and c) that Council consider adding a public relations position that will work directly with City Council. Mayor Fraim added that we need to devise a media plan.
6. Councilwoman Williams asked the City Manager to schedule time with the new Police Chief to discuss Police issues. Mayor Fraim suggested a Town Hall meeting to include community leaders and civic league presidents. He added that we should ask the new school Superintendent to have a similar type meeting.
7. Councilwoman Williams asked if the Lake Taylor track is open for citizen use during the summer.
8. Councilwoman Williams asked Council to approve as employee holidays a full day on December 24, 2012 and December 31, 2012.

### **C. CHARACTER DISTRICTS**

Frank Duke, Director of Planning, reported:

Character districts draw boundaries from distinct areas and develop regulations that foster distinctive, attractive communities with a strong sense of place.

They also help make development decisions predictable, fair and cost effective.

Character districts are directly related to two city priorities: Safe, healthy and inclusive communities; well managed government. Character districts in Florida and North Carolina were studied. Also studied, were parking, open space and defining boundaries.

Boundaries:

- Downtown - range of higher intensity uses blended together; limited yard areas; widespread pedestrian and transit accessibility.
- Urban – variety of uses in proximity to one another; smaller lots and yards; grid pattern of streets.
- Suburban – separation of uses; larger lots and yards; curvilinear streets.

After comparing patterns staff made recommendations, community meetings were held and boundaries were refined. Meetings were held with the Ghent Business Association, Ghent Neighborhood League, Freemason Street Area Association and Downtown Norfolk Council. More revisions were made. At the Planning Commission public hearing, revisions were again made and a compromise was reached. There were no opponents at that time and staff ultimately recommended a compromise proposal based on the consensus of the proponents. Subsequent to this the Downtown Norfolk Council withdrew its support for the compromise. Another series of meetings were held that included City Council members, staff, Downtown Norfolk Council, Ghent Business Association, Ghent Neighborhood League and Downtown Norfolk Civic League. After which a compromise was reached.

Administration's recommendation:

Approval, with properties west of Yarmouth Street frontage and north of Brambleton Avenue included in Downtown.

Next Steps:

- City Council sets Public Hearing
- City Council holds Public Hearing
- Zoning Ordinance revision Public Hearings – Parking and Open Space
- plaNorfolk 2030 Public Hearings

## **D. ADVANTAGE INVESTMENTS**

Mr. Duke reported on Advantage Investments for a General Plan Amendment, Street Closure and Rezoning.

The site in question is the former Estabrook Inn, currently zoned C-1, which does not allow a restaurant. The building has been vacant for more than two years so they have lost that non-conforming use. There is also an un-opened right-of-way issue. In order to operate another restaurant a plan amendment would be needed for a street

closure and rezoning. Another problem is that the site is very small and under the current General Plan the property is designated as industrial. After examining all parcels the Planning Commission said the site should be developed as commercial.

A critical issue from a plan amendment standpoint is the Transportation Improvement Plan. Our current General Plan designates the 38-foot-wide right-of-way as an essential road improvement. Improvement to this right-of-way has not been included in the 2030 Plan based on a lack of need and because the right-of-way is sub-standard. This un-opened right-of-way is the only access without going through the neighborhood. The General Plan says that we should not take actions that would cause industrial traffic to have impacts on a residential neighborhood. If the 38-foot-wide right-of-way is closed, the only access to this parcel would be through the neighborhood by way of Amherst Street. More commercial development would bring more commercial traffic into the neighborhood. Current parking requirements or future parking requirements cannot be met unless the paper street is closed. Advantage Investments would limit the uses to a restaurant or an eating and drinking establishment and as part of the re-zoning they would limit the hours of operation to 6 a.m. to 9 p.m. Sunday through Thursday and 6 a.m. to 10 p.m. on Friday and Saturday.

Proponents at the public hearing: Applicant, four citizens and the Estabrook Civic League.

Opposition at the public hearing: Three citizens, owners of the adjacent industrial property.

The Planning Commission recommended approval of all three items. Staff recommended approval of the Plan Amendment but denial of the street closure and the rezoning because of potential neighborhood impacts.

## **E. MOJO BONES & SARAH CONSTANT SHORES**

Mr. Duke added briefly:

- Mojo Bones is again asking for additional hours – Staff and Planning Commission recommend denial.
- Sarah Constant Shores – Significant neighborhood opposition because of noise and traffic. Staff and Planning Commission recommend approval because it does meet all of the restrictions of City Code.